

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO.
)	
)	CJRA TRACK:
)	PRESUMPTIVE TRIAL MONTH:
Defendant.)	JUDGE:

**JOINT REPORT OF THE PARTIES AND PROPOSED
SCHEDULING AND DISCOVERY ORDER
(CLASS ACTION)**

Pursuant to Federal Rule of Civil Procedure 26(f), SDIL-LR 26.1, and SDIL-LR 23.1, an initial conference of the parties was held on _____ with attorneys _____ participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. Discovery prior to Class Certification must be sufficient to permit the Court to determine whether the requirements of Federal Rule of Civil Procedure 23 are satisfied, including a preliminary inquiry into the merits of the case to ensure appropriate management of the case as a Class Action. In order to ensure that a Class Certification decision be issued as soon as practicable, however, priority shall be given to discovery on class issues. Once Class Certification is decided, the Court may, upon motion of either party, enter a second scheduling and discovery order, if necessary.
2. Initial interrogatories and requests to produce, pursuant to Federal Rules of Civil Procedure 33 and 34 and SDIL-LR 33.1, shall be served on opposing parties by _____.

Due to the nature of this case, the parties are exempted from compliance with Federal Rules of Civil Procedure 30(a)(2)(A) (10 deposition limit) and 33(a) (25 interrogatory limit).

3. Plaintiff(s)' depositions shall be taken by _____.
4. Defendant(s)' depositions shall be taken by _____.
5. Third Party actions must be commenced by _____.
6. Expert witnesses for Class Certification, if any, shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff(s)' expert(s):_____

Defendant(s)' expert(s):_____
7. Depositions of Class Certification expert witnesses must be taken by:

Plaintiff(s)' expert(s):_____

Defendant(s)' expert(s):_____
8. Plaintiff(s)' Motion for Class Certification and Memorandum in Support shall be filed by _____ and shall not exceed _____ pages.
9. Defendant(s)' Memorandum in Opposition to Class Certification shall be filed by _____ and shall not exceed _____ pages.
10. Plaintiff(s)' Reply Memorandum, if any, must be filed by _____ and shall not exceed _____ pages.
11. The Class Certification hearing will be set by separate notice.
12. Expert witnesses for trial, if any, shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff(s)' expert(s):_____

Defendant(s)' expert(s):_____

Plaintiff(s)' rebuttal expert(s):_____
13. Depositions of trial expert witnesses must be taken by:

Plaintiff(s)' expert(s):_____
Defendant(s)' expert(s):_____

Plaintiff(s)' rebuttal expert(s):_____.

14. All discovery shall be completed by _____ (which date shall be no later than **115 days** before the first day of the presumptive trial month). Any written interrogatories or request for production served after the date set out in the Scheduling and Discovery Order shall be served by a date that allows the served parties the full 30 days as provided by the Federal Rules of Civil Procedure in which to answer or produce by the discovery cut-off date.
15. All dispositive motions shall be filed by _____ (which date shall be no later than **100 days** before the first day of the presumptive trial month). Dispositive motions filed after this date will not be considered by the Court.

DATED:

Attorney(s) for Plaintiff(s)

Attorney(s) for Defendant(s)

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SCHEDULING AND DISCOVERY ORDER
(CLASS ACTION)

Depositions upon oral examination, interrogatories, request for documents, and answers and responses thereto shall not be filed unless on order of the Court. Disclosures or discovery under Federal Rule Civil Procedure 26(a) and SDIL-LR 26.1 are to be filed with the Court only to the extent required by the final pretrial order, other order of the Court, or if a dispute arises over the disclosure or discovery. Having reviewed the Report of the Parties and finding that the parties have complied with the requirements of Federal Rule of Civil Procedure 26(f), SDIL-LR 26.1, and SDIL-LR 23.1, the Court hereby approves and enters the Proposed Scheduling and Discovery Order as submitted by the parties/as modified at the Pretrial Scheduling and Discovery Conference.

- () A settlement conference is set before _____ in accordance with SDIL-LR 16.3(b) on _____ at _____ in _____.
- () A Class Certification hearing is set for _____ at _____ before the trial judge.
- () A final pretrial conference is set for _____ at _____ before the trial judge in accordance with SDIL-LR 16.2(b).
- () As initially set by the Court, the presumptive trial month is _____.

DATED: _____

United States Magistrate Judge